

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES

NOTICE OF PROPOSED POLICY

Public Act 280 of 1939, as amended, and consultation guidelines for Medicaid policy provide an opportunity to review proposed changes in Medicaid policies and procedures.

Please review the policy summary and the attached materials that describe the specific changes being proposed. Let us know why you support the change or oppose the change.

Submit your comments to the analyst by the due date specified. Your comments must be received by the due date to be considered for the final policy bulletin.

Thank you for participating in the consultation process.

Meghan Siquentes Vanderstelt

**Director, Program Policy Division
Bureau of Medicaid Policy, Operations, and Actuarial Services**

Project Number: 2156-Pharmacy **Comments Due:** March 30, 2022 **Proposed Effective Date:** As Indicated

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Policy Subject: Signature Log and Proof of Delivery Requirements

Affected Programs: Medicaid, Healthy Michigan Plan, Children's Special Health Care Services (CSHCS), Maternity Outpatient Medical Services (MOMS)

Distribution: All Providers

Policy Summary: This bulletin restates the signature log and proof of delivery requirements as waived until further notice. Effective upon the prospective termination of the COVID-19 pharmacy flexibilities permitted by L 20-20, the following signature log and proof of delivery requirements will be identified in the MDHHS Medicaid Provider Manual. These requirements will apply to prescriptions received both at pharmacy retail locations and delivered to the Medicaid beneficiary's place of residence.

Purpose: The purpose of this policy is to restate the pharmacy signature requirements declared as waived in L-letter 20-20. Waiving these requirements was determined necessary in response to the COVID-19 public health emergency, and remain in effect until further notice in accordance with bulletin MSA 20-36.

Proposed Policy Draft

Michigan Department of Health and Human Services
Health and Aging Services Administration

Distribution: All Providers

Issued: April 1, 2022 (Proposed)

Subject: Signature Log and Proof of Delivery Requirements

Effective: As Indicated (Proposed)

Programs Affected: Medicaid, Healthy Michigan Plan, Children's Special Health Care Services (CSHCS), Maternity Outpatient Medical Services (MOMS)

The purpose of this policy is to restate the pharmacy signature log requirements declared as waived in provider letter L 20-20. Waiving these requirements was determined necessary in response to the COVID-19 public health emergency and shall remain waived until further notice in accordance with MSA 20-36.

L 21-31 was previously issued on April 28, 2021 and, like provider letter L 20-20, addressed signature log requirements for proof of delivered medications. The signature log requirements declared waived in provider letter L 20-20 have remained in effect since March 26, 2020. Accordingly, while L 21-31 was issued on April 28, 2021, it has not taken effect while L 20-20 has remained in effect. Even though L 21-31 has not taken effect, it is now rescinded.

Effective upon the prospective termination of the COVID-19 pharmacy flexibilities permitted by L 20-20, the following signature log and proof of delivery requirements will be identified in the [Michigan Department of Health and Human Services \(MDHHS\) Medicaid Provider Manual](#).

These requirements will apply to prescriptions received both at pharmacy retail locations and delivered to the Medicaid beneficiary's place of residence.

Pharmacy providers must document receipt or delivery of new or refilled medications to the intended Medicaid beneficiary. This documentation serves as verification of the beneficiary receiving the prescription billed. The absence of the appropriate verification indicates the beneficiary did not receive the prescription, and funds will be recouped from the pharmacy. Documentation described below must be retained for review by MDHHS or the MDHHS agent for seven years and is subject to audit. Any method of reproducing past signatures is not acceptable.

Signature Log (for Prescriptions Picked Up at the Pharmacy)

Pharmacy providers must maintain a log containing the following information:

- Beneficiary's name;
- The manual or electronic signature of the beneficiary or their representative; and
- The date of receipt of the prescription.

Proof of Delivery (for prescriptions delivered)

For prescriptions delivered by common carrier (U.S. mail, FedEx, UPS, etc.) a tracking number alone is not considered a valid proof of Member receipt. The tracking number must be accompanied by either:

- The manual or electronic signature of the beneficiary or their representative at the time of delivery; or
- The tracking detail from the common carrier showing the specific prescription was delivered, including date and time of delivery.

Documentation must be stored in accordance with the General Information for Providers chapter of the Medicaid Provider Manual, State Law section. Adherence to these requirements must be readily available onsite and may be subject to audit by MDHHS.